

26 January 1979

MEMORANDUM FOR: The Executive Secretary
DCI Security Committee

FROM:

Staff, DCI Security Committee

SUBJECT: Repository for SCI Denials

NSA review
completed

1. It appears from Dave Ryan's memorandum and comments that the FBI will back out of being the holder of SCI Denial information (due to Justice Department legal opinion). It also appears that they will recommend that CIB be the Repository for SCI Denials. If such is done, it is recommended that the whole idea be dropped.

2. The idea to initiate such a listing may have been well intentioned, but for practical purposes does not seem to have been well thought out. Some of the reasons for dropping this idea are:

a. No agency would accept the mere fact that the name appears on the list as basis for a second denial of SCI. This would be against the "whole person" concept of adjudication and would be no adjudication at all; even worse with the passage of time, e.g. 1 year later, 3 years or 5 years.

b. The list of SCI Denials would contain turn-downs on NSA applicants, but not CIA applicants (these are not 1/14 cases) while on the other hand

c. There would be the task of checking all candidates for SCI access with the "Denials Repository", otherwise, why have it. CIA had more than industrial SCI access cases last year.

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Very persuasive argument in this day of tight economies.

Projecting this to other IC member Agencies and we come up with very large numbers of checks of the "Denials Repository" which also requires staffing.

Either the world has become a great place or the BIA have become less than desirable.

[Redacted]

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d. Special procedures would have to be established to handle [Redacted] as well as Privacy Act requests. The benefit, if there was one, would not be worth the effort. *I don't know if that's factual.*

Right and CIA hasn't give this any thought

3. When the proposal for a "Denials Repository" is shipped back, the best thing to do would be to put it on the shelf until someone could demonstrate a need and use for it.

[Redacted]

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I agree with your points but

could it be that [Redacted] new system will force a bigger

issue, e.g. NFI Turn Downs for reasons other than suitability (like not having a BI or refusing to execute a secrecy agreement)

Can we take what we have learned here and crank some sort of turn down record requirement in [Redacted] Manual.

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[Redacted]

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As [Redacted] points out - we are talking only about contractors not staff employees in this idea of an SC

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turn down. Further -

If we are going to have appeals procedures shouldn't we have some sort of record of precedence and some log of who won + lost appeals?

If we are going to have standard guides for adjudication could we not establish some sort of record using these as reference in a list of turn downs?

over

I think your best argument against the concept is the one on resource drain. Is there some way we could cost this out using CIA's figures and getting some figures from OSI or DIS for number of 1/14 cases they did and the number of them that were turned down by other than CIA elements in the SCI program?

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